2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SCHERZ4

In re Application of:
Avigdor SCHERZ et al.

IA No: PCT/IL03/000973

IA Filed: November 17, 2003

Appln. No.:
Not yet assigned

For: WATER-SOLUBLE ANIONIC
BACTERIOCHLOROPHYLL...

Appln. Docket: SCHERZ4

Conf. No.:

Art Unit:

Washington, D.C.

May 13, 2005

## INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents U.S. Patent and Trademark Office Customer Service Window Randolph Building, Mail Stop Amendment 401 Dulany Street Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §\$1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

- [X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:
- [X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- [ ] B. before the mailing date of a first office action on the merits or before the mailing of a first Office

action after the filing of a Request for Continued Examination under 37 CFR §1.114.

- [X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:
- [] A. Document(s) \_\_\_\_\_\_ is/are deemed substantially cumulative to document(s) \_\_\_\_\_\_, and, in accordance with 37 CFR §1.98(c), a copy of each of the former document(s) is not enclosed.
- [ ] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications) Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of record in accordance with 37 CFR \$1.98(d). Per 37 CFR \$1.98(d), copies of these documents need not be filed in this application.

- [ ] 3. Document(s) \_\_\_\_ is/are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states:
  - [ ] An English translation of each document \_\_\_\_ (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.

[	]	For documents, a corresponding
		English-language patent or published application
		is included on the accompanying Form BN/SB/08A,
		with a line drawn in the margin connecting the
		non-English-language document with its
		corresponding English-language document.
[	]	A concise explanation of the relevance of
		document(s) is found in the attached
		search report (see reply to
		Comment 68 in the preamble to the final rules;
		1135 OG 13 at 20).
[	]	A concise explanation of the relevance of
		document(s) is set forth as follows:
[	]	A concise explanation of the relevance of
		document(s) can be found on page(s)
		of the specification.
[	]	A concise explanation of the relevance of
		document(s) can be found on the
		attached sheet.

- [X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).
- [ ] 5. Other information being provided for the examiner's consideration follows:
- 6. In accordance with 37 CFR  $\S\S1.97(g)$  and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR  $\S1.56(b)$ , or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the

face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By:

Roger L. Browdy

Registration No. 25,618

RLB:ccw

624 Ninth Street, N.W., Suite 300

Washington, D.C. 20001-5303

Telephone: (202)628-5197 Facsimile: (202)737-3528 G:\BN\B\BENA\Scherz4\pto\ids.fee.doc



Substitute for form 1449A/PTO				Complete if Known 34692  Application Number Not yell as lighted 34692		
				Application Number	Not yet assigned 74 0 7 C	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			CLOSURE	Filing Date	May 13, 2005	
			PLICANT	First Named Inventor	Avigdor SCHERZ	
•				Group Art Unit		
	(use as many sheets	s as n	ecessary)	Examiner Name		
Sheet	1	of	1	Attorney Docket Number	SCHERZ4	

-			U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code <sup>2 (III</sup> known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-5,955,585	09/21/1999	SCHERZ, A. et al.	
	AB	US-6,147,195	11/14/2000	SCHERZ, A. et al.	
		US-			

FOREIGN PATENT DOCUMENTS						
	Foreign Patent Number		Dublication Date		Pages, Columns, Lines,	
Examiner Initials*	Cite No.1	Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
					-	
			<u> </u>			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²			

Examiner Signature	/Paul Ward/ (09/22/2009)	Date Considered	

<sup>\*</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.